

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Proposing rule making related to identification card replacement fees and providing an opportunity for public comment

The Department of Public Safety hereby proposes to amend Chapter 93, “Identification Cards for Former Peace Officers of the Iowa Department of Public Safety,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in 18 U.S.C. §926C.

State or Federal Law Implemented

This rule making implements, in whole or in part, 18 U.S.C. §926C.

Purpose and Summary

The purpose of the proposed amendment to Chapter 93 is to more accurately reflect the Department’s practice of not charging a fee to qualified former peace officers who request a replacement identification card.

Fiscal Impact

This rule making has an extremely low fiscal impact to the State of Iowa. Although the proposed amendment removes a fee of \$5 per replacement identification card, this fee is routinely not charged to qualified former peace officers. The Department only began printing these replacement cards in-house nine months ago and has printed three replacement cards in that time frame.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Pursuant to the provisions of rule 661—10.222(17A), the Department does not have authority to waive requirements established by statute. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 6, 2019. Comments should be directed to:

Chandlor Collins
Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319
Phone: 515.725.6185
Email: collins@dps.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule 93.3(9) as follows:

93.3(9) If a qualified former peace officer of the department loses an identification card, or if a card is damaged, a replacement may be issued. The former officer shall notify the office of the commissioner of the loss or damage and may apply for a replacement card. ~~A nonrefundable fee of \$5, to defray expenses of the department, shall be charged for each application for a replacement former peace officer ID card. The fee is payable to the Iowa Department of Public Safety by personal check or money order. If loss of or damage to the former peace officer identification card occurred in an area subject to a formal disaster emergency declaration issued by the governor pursuant to Iowa Code section 29.6 and is attributable to the conditions which led to the disaster emergency declaration, no charge shall apply.~~